

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

CHERIE PHILLIPS,	)	CIVIL NO. 07-00423 HG-KSC
	)	
Plaintiff,	)	FINDINGS AND
	)	RECOMMENDATION TO GRANT
vs.	)	PLAINTIFF'S APPLICATION TO
	)	PROCEED WITHOUT PREPAYMENT
	)	OF FEES
MIKE MURDOCK, aka MICHAEL	)	
DEAN MURDOCK, THE WISDOM	)	
CENTER, INC., WISDOM	)	
INTERNATIONAL, INC., MIKE	)	
MURDOCK EVANGELISTIC	)	
ASSOCIATION,	)	
	)	
Defendants.	)	
	)	
	)	
	)	
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FINDINGS AND RECOMMENDATION TO GRANT PLAINTIFF'S  
APPLICATION TO PROCEED WITHOUT PREPAYMENT OF FEES

On August 7, 2007, Plaintiff Cherie Phillips ("Plaintiff"), proceeding pro se, filed a Complaint alleging trademark infringement, copyright infringement, and unfair competition. Concurrent with the filing of the Complaint, Plaintiff filed an

Application to Proceed Without Prepayment of Fees ("IFP Application").

In order for the Court to grant an IFP Application, Plaintiff must establish that she is a pauper. To do so, Plaintiff must submit a sworn statement that describes the assets she possesses and a declaration that she is unable to pay the costs of or give security for this proceeding. 28 U.S.C. § 1915(a)(1).

In reviewing the information provided by Plaintiff, the Court finds that Plaintiff has established that she is entitled to proceed without prepayment of fees. In her IFP Application, Plaintiff states that she has \$5.00 in her checking or savings account. Plaintiff also states that she is unemployed, and her only sources of income are a State of Hawaii Income Tax Refund of \$81.00 (received April 12, 2007) and a Federal Income Tax Refund of \$132.00 (received

April 20, 2007). Plaintiff states that she does not expect to receive funds from any other source.

The Court finds that the documentation provided by Plaintiff demonstrates that she falls within the poverty guidelines for Hawaii, published by the Department of Health and Human Services. See Annual Update of the HHS Poverty Guidelines, 07 F.R. 268 (Jan. 17, 2007). Accordingly, the Court FINDS and RECOMMENDS that Plaintiff's IFP Application be GRANTED.

IT IS SO FOUND AND RECOMMENDED.

Dated: Honolulu, Hawaii, August 29, 2007.



  
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Kevin S.C. Chang  
United States Magistrate Judge